

Remarks

Reconsideration of the Examiner's Action dated May 12, 2004 is requested.

Status of the Claims

The Examiner's Action addressed all of the applicants' pending claims, namely Claims 1 to 75 and 77 to 147. Claim 80 has been amended. No claims have been added. No claims have been cancelled.

Discussion of the § 112 Rejection in Paragraph 2. of the Action

Claim 80 has been rejected under 35 U.S.C. § 112, second paragraph. It is submitted respectfully that this rejection has been overcome in view of the above claim amendments. Claim 80 has been amended by moving the text "wherein X is -O- or -S-;" to follow the structure of the compound in the second line of the claim. This is consistent with its appearance in original Claim 80 in U.S. Patent No. 5,364,866, the patent for which the present application is an application for reissue.

Other Amendment to Claim 80

Towards the end of Claim 80, the brackets that surrounded the term "or -C(=W)-heteroaryl" have been deleted. Thus, the proviso is now essentially the same as at the end of Claim 80 of aforementioned U.S. Patent No. 5,364,866. This amendment does not broaden the scope of the claim and is consistent with 35 U.S.C. § 251, ¶ 4.

Group Art Unit 1624  
Reissue Application No. 09/712,129

September 13, 2004  
Attorney Docket No. P25,984 REI

Discussion of the 37 C.F.R. § 1.175(b)(1) Rejection in Paragraph 3. of the Action

The Examiner has rejected all of the claims of the present application under 37 C.F.R. § 1.175(b)(1).

The Examiner's request for a Supplementary Declaration will be submitted upon our indication that all claims are in allowable condition.

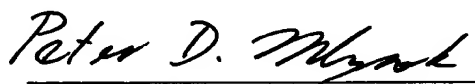
Conclusion

In view of the foregoing claim amendments and remarks, applicants submit that all claims are in allowable condition.

In the event any issues remain outstanding, the Examiner is requested to call the undersigned at the telephone number listed below.

A petition for a one-month extension is being filed concurrently herewith. The Commissioner is authorized hereby to charge any fees or credit any overpayment associated with this Reply (copy enclosed) to Deposit Account Number 19-5425.

Respectfully submitted,  
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